

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 31, 2000

DIVISION ONE

B129296 Moody (Not for Publication)
v.
Boy Scouts Of America et al.

The judgment in favor of the Boy Scouts of America and against Moody is affirmed. The judgment against LBAC, Holmes, and Clark is reversed, and the cause is remanded to the trial court with directions to enter new orders granting Defendants' alternative motion for summary adjudication of issues in favor of harassment and retaliation. Moody may proceed to trial against Holmes and Clark on her harassment and retaliation claims, and against LBAC on her claims of harassment, age and gender discrimination and retaliation in violation of FEHA, and wrongful termination in violation of public policy. The order granting attorneys' fees is reversed (without prejudice to renewal by the Boy Scouts of America). The parties are to pay their own costs of appeal.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

[illegible]

The judgment is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Masterson, J.

DIVISION ONE (Continued)

B130780 People (Not for Publication)
v.
Julian

The judgment is modified to add a one-year enhancement for defendant's use of a knife in the commission of robbery to the nine-year sentence imposed on count III, robbery. As modified, the judgment is affirmed. The clerk of the court is directed to prepare an amended abstract of judgment correctly stating that defendant was sentenced to life imprisonment on court II, premeditated attempted murder, rather than count I, and to reflect the \$5,000 restitution and parole revocation fines imposed by the court. The clerk thereafter shall forward a copy of the amended abstract to the Department of Corrections.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

B130651 Perfit (Not for Publication)
v.
Perfit

The January 20, 1999, judgment is affirmed. The September 10, 1998, order purporting to modify the renewed judgments in the dissolution action is reversed. The case is remanded to the trial court with directions to transfer the motion to modify the renewed judgments to the family law court, where the matter can be adjudicated in the proper forum. Plaintiff is to recover costs on appeal.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

March 31, 2000-Continued

DIVISION ONE (Continued)

[illegible]

The judgment is affirmed.

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
Masterson, J.

B128637 Salazar (Not for Publication)
v.
National Newsvending Equipment Co.

The orders are affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

DIVISION THREE

[illegible]

The judgment is affirmed.

Aldrich, J.

We concur: Kitching, Acting P.J.
 Schneider, J. (Assigned)

March 31, 2000-Continued

DIVISION THREE (Continued)

B130886 People (Not for Publication)
v.
Christopher K.

The order of wardship is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION FOUR

B130881 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Courtney T.

The appeal from the order of February 4, 1999, is dismissed. The order of February 8, 1999, summarily denying appellant's 388 petition is reversed. The cause is remanded for further proceedings.

Hastings, J.

We concur: Epstein, Acting P.J.
Berle, J. (Assigned)

B134977 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Carolyn W.

The order is affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
Hastings, J.

DIVISION FOUR (Continued)

B125492 People (Not for Publication)
v.
Ayala and Mendez

The judgments are affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B100152 Rainey Construction Co. (Not for Publication)
v.
Long Beach Unified School District

That portion of the judgment entered on December 18, 1995, awarding Rainey Construction Company, Inc. compensatory damages and interest based upon the jury's special verdict finding in its favor on its claim for negligent training and supervision is reversed and the trial court is directed to enter judgment in favor of Long Beach Unified School District on that tort claim. That portion of the judgment awarding Rainey Construction Company, Inc. compensatory damages based upon the jury's special verdict finding in its favor on its breach of contract claim is affirmed. That portion of the judgment awarding Rainey Construction Company, Inc. prejudgment interest on its breach of contract claim based upon the jury's special verdict finding that the contractual damages were liquidated is reversed and the matter is remanded for the limited purpose of permitting the trial court to exercise the discretion granted to it by Civil Code section 3287, subdivision (b) to determine whether to award prejudgment interest on the unliquidated contractual claims. The parties to bear their own costs on the appeal and cross-appeal.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Curry, J.

DIVISION FOUR (Continued)

B128961 People (Not for Publication)
v.
Cobb

The judgment is reversed.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

DIVISION FIVE

B127861 PWS, Inc., et al. (Not for Publication)
v.
Bruce Bradley et al.

The orders under review are affirmed. Defendants, Bruce Bradley, Richard Kritzer, Mimi Kritzer and Anthony Murillo, are to recover their costs and attorney fees on appeal jointly and severally, from plaintiffs, PWS, Inc., Morton Pollack, Eric S. Steinberg, W. Fred Welch. Upon issuance of the remittitur, the trial court shall determine the amount of defendants' attorney fees and costs on appeal in compliance with rule 870.21 of the California Rules of Court.

Turner, P.J.

We concur: Grignon, J.
Godoy Perez, J.

March 31, 2000-Continued

DIVISION SIX

B132864 People (Not for Publication)
v.
Landy

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

B131530 People (Not for Publication)
v.
Kuykendall

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

B129939 Singer (Not for Publication)
v.
Ornda Healthcorp

The judgment is affirmed. Costs awarded to respondents.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

March 31, 2000-Continued

DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

DIVISION SEVEN

B126505 Romero
v.
Harborage Homeowners Assn.

Filed order denying petition for rehearing.